



Eric McDonough &lt;phd2b05@gmail.com&gt;

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## Extension on Appeal of 3D19-1362

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**Eric McDonough** <phd2b05@gmail.com>

Fri, Sep 27, 2019 at 3:13 PM

To: "Matthew H. Mandel" &lt;MMandel@wsh-law.com&gt;

Cc: George Gretsas &lt;ggretsas@cityofhomestead.com&gt;, Stephen Shelley &lt;sshelley@cityofhomestead.com&gt;, Elvis Maldonado &lt;Emaldonado@cityofhomestead.com&gt;, Jenifer Bailey &lt;JBAILEY@cityofhomestead.com&gt;, Jon Burgess &lt;Jburgess@cityofhomestead.com&gt;, Larry Roth &lt;Lroth@cityofhomestead.com&gt;, Patricia Fairclough &lt;Pfairclough@cityofhomestead.com&gt;, Julio Guzman &lt;jguzman@cityofhomestead.com&gt;, Elizabeth Sewell &lt;ESewell@cityofhomestead.com&gt;, Al Rolle &lt;arolle@homesteadpolice.com&gt;

Hello Matt.

Hope you are doing great on this beautiful day the Lord has blessed us with.

Sorry, I am a little confused. I thought the City was moving to relinquish jurisdiction.

Did something change? What they don't want to quit anymore after I showed they folded like a taco in the face of evidence? Does it just too strongly defeat their false narrative of a 0-7 legal score against me? They will not be able to save face that easy.

If the City would let me depose Murguido for approx 15 minutes (at the City's expense, but me selecting the court reporter and videographer), so I can ease my concerns that not all public records have been provided I would be willing to forgo further prosecution in this case if the City would pay my cost to date (approx. \$1,500) and admit that it violated the records act by both: 1) delaying production of records it had retrieved for 19 days prior; and 2) not producing all records requested as evidence by at least 4 sets of records produced (actually 5, but we can deal with that knowingly false claim later). Or the city can waste tens of thousands of more tax dollars to simply delay the inevitable. I will not allow anyone to get away with lies and deliberate deception in this case the way Sam Zeskind and Ed Guedes deliberately lied to the court in my first public records case.

I am trying to be reasonable, your clients are not, and their unreasonableness with public has already cost the City taxpayers over \$250,000!

The voters want an answer as to why such misfeasance, malfeasance and/or non-feasance of duties/office is being allowed to continue unabated?

If you are honest with yourself you will admit that you know in a fair hearing the city has no chance of winning, the evidence is clear and objective, including your false implication to me that the City had provided me all records, and the case was moot, when you refused to schedule a hearing as mandated by law.

As your clients continue to abuse the system and lie about the truth, all communications will be published as they are public record.

Further, I don't want to have to demonstrate that the City's employees made patently false statements on their affidavits, but that is their choice if they do not retract their falsified and/or invalid affidavits.

If the city refuses to act reasonably here we will show the residents and voters just how far they are willing to go to subvert the law.

The choice is theirs.

Also can you let me know when I can inspect the email communications between the SDNL and HPD? It is obvious I am being delayed these records because of the major news story it would be during the election cycle. As HPD retaliated against me by using the SDNL to publish false and misleading information.

You were already given a 45 day extension, now you want another 31 days, unobjected? NO.

I object to any further delays in this case, and the attempted abuse of me by you and/or others.

The attempts to immorally and/or illegally tamper with this election is beyond despicable, and I would advise you against playing too great a role in these almost certainly illegal activities.

Regards,

Dr. James Eric McDonough

On Fri, Sep 27, 2019 at 10:17 AM Matthew H. Mandel <[MMandel@wsh-law.com](mailto:MMandel@wsh-law.com)> wrote:

Hi Dr. McDonough,

Hope you are well.

Would you have any objection to the City receiving an extension to serve its answer brief On November 4?

Given the below, it seems like this would work for you too.

Kindly advise.

Thanks.

**From:** Eric McDonough <[phd2b05@gmail.com](mailto:phd2b05@gmail.com)>  
**Sent:** Sunday, September 15, 2019 12:32 AM  
**To:** Matthew H. Mandel <[MMandel@wsh-law.com](mailto:MMandel@wsh-law.com)>  
**Subject:** Extension on Appeal of 3D19-1362

Hi Matt,

Hope you are well.

I was looking at calendars, and see that your response brief is due on 10/3.

10/31 is the end of the fiscal year, and I will be overloaded getting things ready for that.

Would you object to me asking for a 30 extension to file my reply brief, as I am not sure I can start working on it before the end of the fiscal year.

Thanks.

Dr. James Eric McDonough

Matthew H. Mandel

Member / Chair, Litigation Division



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